



VIRGINIA COMMISSION ON YOUTH

Meeting Minutes

Advisory Group: Legal Guardianship of a Minor by Court Petition

Virtual Meeting

October 6, 2020

3:00 p.m. – 5:00 p.m.

Meeting Attendees:

Amy Atkinson, Nannette Bowler, Rachel Becker, Del. Emily Brewer, Gayl Carr, Darcy Hubbard Cunningham, Derek Davis, Rachael Deane, Karen Dottore, Will Egen, Sen. Barbara Favola, Rhonda Gardner, Allison Gilbreath, Leah Henschen, Sandra Karison, Janet Kelly, Valerie L'Herrou, E.W. Marshall-Washington, Rebecca Morgan, Melissa O'Neill, Pat Popp, Kim Ramsey, Eric Reynolds, Sarah Smalls, Carla Taylor, Rebecca Vinroot.

I. Welcome and Introductions

Senator Favola welcomed the Advisory Group and the public to the meeting.

II. Advisory Group Draft Recommendations Roundtable Discussion

Topic: Guardianship Discussion and Recommendations

Senator Favola introduced Nannette Bowler, Deputy Commissioner, Human Services, Virginia Department of Social Services. Ms. Bowler gave a presentation that recapped the guardianship model described during the prior meetings of this Advisory Group. Key points include:

- The purpose of the full/permanent guardianship arrangement is to give kinship caregivers, or the child (if over 14), the ability to petition the court for guardianship. The most common reasons for this to occur is because parental rights have been terminated or suspended by DSS or the youth has been abandoned. In the proposed model, the court may review guardianship arrangements every year, and must review every year if the child is under 6. Parent(s) may request a court review to consider termination at any time.
- Temporary guardianship is only used as an emergency measure (up to 6 months) when full/permanent guardianship is being considered by the court.

- Limited guardianship is a complementary option in which the parents themselves bring the petition for guardianship to the court. The parents and guardian reach a mutual arrangement about visitation, financial support, and so forth. These care plans often come from the court or are arranged with the assistance of a social worker. Annual review and termination are the same as in the full/permanent option.

The Proposed Guardianship Model Flowchart can be accessed on the Commission's webpage under the meetings tab.

Senator Favola expressed her and Delegate Brewer's preference to recommend limited guardianship only, Sen. Favola made a chair's recommendation to propose a limited guardianship which would be in effect for 12 months and eliminate the use of a placement plan. The group discussed this recommendation made by Sen. Favola as well as the proposed models described by Ms. Bowler.

Discussion of the recommendations for proposed models yielded no action on moving forward this year with legislation.

The Advisory Group put forth a recommendation to send a letter to the Department of Social Services to create a work group to study full/permanent guardianship, temporary and limited guardianship further.

Topic: Family Partnership Meetings

Senator Favola stated that local DSS directors did not want Family Partnership Meetings codified in the *Code* and would rather it be added to regulations. Ms. Morgan stated that this was because social work practices evolve and change and current practice should not be codified.

The Advisory Group agreed to put forth a recommendation to add Family Partnership Meetings to regulatory language.

Topic: Kinship Navigator

Senator Favola asked if staff could put a dollar figure in the recommendation to appropriate money for a statewide Kinship Navigator program. Mr. Egen agreed to look into the matter.

The Advisory Group agreed to put forth a recommendation to request an appropriation to fund a statewide Kinship Navigator Program.

III. Next Steps and Adjournment

Delegate Brewer encouraged members to reach out to her and Senator Favola for further discussion on the topic of guardianship.

Senator Favola adjourned the meeting at 4:25 p.m.

The link to the video of this meeting can be found at the following link: [Meeting Video Archive](#).